IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 34326 of 2007(J)

PETITIONER:

SUSHEEDRANATHAN, PALARI,
VAKKOM DESOM, VAKKOM VILLAGE,
CHIRAYINKIL TALUK, THRIVANANTHAPURAM.

BY ADV. SRI.V.MANOJ KUMAR

RESPONDENTS:

1. VAKKOM FARMERS CO-OPERATIVE BANK
LTD. NO.542, VAKKOM DESOM & VILLAGE,
CHIRAYINKIL TALUK,THIRUVANANTHAPURAM DISTRICT,
REPRESENTED BY MANAGING DIRECTOR.

2. THE JOINT REGISTRAR,
CO-OPERATIVE JOINT REGISTRAR'S OFFICE,
THIRUVANANTHAPURAM.

3. STATE OF KERALA, REPRESENTED BY
SECRETARY, CO-OPERATIVE DEPARTMENTS,
SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.P.K.MUHAMMED
SRI.S.VIJI
R2 & R3 BY SR.GOVT.PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.34326 of 2007-J

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Dated this the 10th day of December, 2007.

JUDGMENT

1.The claim of the petitioner in this writ petition is for certain amounts towards balance of gratuity and arrears of allowance due to him. The petitioner retired from the services of the first respondent on 31-5-2006. Obviously, the disputes between the parties are essentially those that could be resolved by way of arbitration under the Kerala Co-operative Societies Act, 1969. In view of the provisions in Section 69 of that Act, the second respondent is statutorily incapacitated from considering the representations of the petitioner which are exhibited along with this writ petition.

2.Under the aforesaid circumstances, this writ

petition is disposed of directing that if the petitioner initiates arbitration proceedings against the first respondent, the Arbitration Court will consider expediting the matter and finally disposing of the case of the petitioner as early as possible, at any rate, within six months from the date of receipt of a copy of this judgment and the filing of the arbitration case, whichever is later.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/